

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Statement of Issues Against:

**JENNIFER RAE ROMERO**

Applicant for Registered Nurse License

Respondent

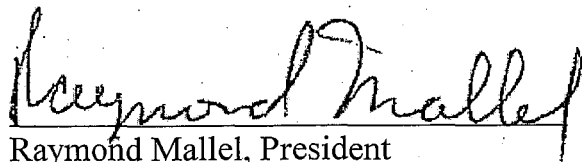
Case No. 2012 – 456

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on August 30, 2012.

IT IS SO ORDERED July 31, 2012.



Raymond Mallel, President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 KAMALA D. HARRIS  
Attorney General of California  
2 KAREN B. CHAPPELLE  
Supervising Deputy Attorney General  
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*Attorneys for Complainant*

7  
8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
9 **STATE OF CALIFORNIA**

10 In the Matter of the Statement of Issues  
11 Against:

Case No. 2012-456

12 **JENNIFER RAE ROMERO**  
17601 Saticoy Street  
13 Northridge, CA 91325  
14 **Registered Nurse License Applicant**

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

15 Respondent.

16 In the interest of a prompt and speedy settlement of this matter, consistent with the public  
17 interest and the responsibility of the Board of Registered Nursing of the Department of Consumer  
18 Affairs, the parties hereby agree to the following Stipulated Settlement and Disciplinary Order  
19 which will be submitted to the Board for approval and adoption as the final disposition of the  
20 Statement of Issues.

21 **PARTIES**

22 1. Louise R. Bailey, M.Ed., RN ("Complainant") is the Interim Executive Officer of the  
23 Board of Registered Nursing. She brought this action solely in her official capacity and is  
24 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by  
25 Randy M. Mailman, Deputy Attorney General.

26 2. Jennifer Rae Romero ("Respondent") is represented in this proceeding by attorney  
27 Adam B. Brown, whose address is: 3848 Carson Street, Suite 206, Torrance, California 90503.  
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1       3.     On or about June 24, 2011, Respondent filed an application dated June 1, 2011, with  
2     the Board of Registered Nursing to obtain a Registered Nurse License.

3                                   **JURISDICTION**

4       4.     Statement of Issues No. 2012-456 was filed before the Board of Registered Nursing  
5     ("Board"), Department of Consumer Affairs, and is currently pending against Respondent. The  
6     Statement of Issues and all other statutorily required documents were properly served on  
7     Respondent on February 23, 2012.

8       5.     A copy of Statement of Issues No. 2012-456 is attached as exhibit A and incorporated  
9     herein by reference.

10                               **ADVISEMENT AND WAIVERS**

11       6.     Respondent has carefully read, fully discussed with counsel, and understands the  
12     charges and allegations in Statement of Issues No. 2012-456. Respondent has also carefully read,  
13     fully discussed with counsel, and understands the effects of this Stipulated Settlement and  
14     Disciplinary Order.

15       7.     Respondent is fully aware of her legal rights in this matter, including the right to a  
16     hearing on the charges and allegations in the Statement of Issues; the right to be represented by  
17     counsel at her own expense; the right to confront and cross-examine the witnesses against her; the  
18     right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas  
19     to compel the attendance of witnesses and the production of documents; the right to  
20     reconsideration and court review of an adverse decision; and all other rights accorded by the  
21     California Administrative Procedure Act and other applicable laws.

22       8.     Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
23     every right set forth above.

24                               **CULPABILITY**

25       9.     Respondent admits the truth of each and every charge and allegation in Statement of  
26     Issues No. 2012-456.

10. Respondent agrees that her Registered Nurse License Application is subject to denial and she agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

## CONTINGENCY

11. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

12. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

13. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

14. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

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1 person at interviews/meetings as directed by the Board or its designated representatives.

2       4.     **Residency, Practice, or Licensure Outside of State.** Periods of residency or  
3 practice as a registered nurse outside of California shall not apply toward a reduction of this  
4 probation time period. Respondent's probation is tolled, if and when she resides outside of  
5 California. Respondent must provide written notice to the Board within 15 days of any change of  
6 residency or practice outside the state, and within 30 days prior to re-establishing residency or  
7 returning to practice in this state.

8       Respondent shall provide a list of all states and territories where she has ever been licensed  
9 as a registered nurse, vocational nurse, or practical nurse. Respondent shall further provide  
10 information regarding the status of each license and any changes in such license status during the  
11 term of probation. Respondent shall inform the Board if she applies for or obtains a new nursing  
12 license during the term of probation.

13       5.     **Submit Written Reports.** Respondent, during the period of probation, shall submit  
14 or cause to be submitted such written reports/declarations and verification of actions under  
15 penalty of perjury, as required by the Board. These reports/declarations shall contain statements  
16 relative to Respondent's compliance with all the conditions of the Board's Probation Program.  
17 Respondent shall immediately execute all release of information forms as may be required by the  
18 Board or its representatives.

19       Respondent shall provide a copy of this Decision to the nursing regulatory agency in every  
20 state and territory in which she has a registered nurse license.

21       6.     **Function as a Registered Nurse.** Respondent, during the period of probation, shall  
22 engage in the practice of registered nursing in California for a minimum of 24 hours per week for  
23 6 consecutive months or as determined by the Board.

24       For purposes of compliance with the section, "engage in the practice of registered nursing"  
25 may include, when approved by the Board, volunteer work as a registered nurse, or work in any  
26 non-direct patient care position that requires licensure as a registered nurse.

27       The Board may require that advanced practice nurses engage in advanced practice nursing  
28 for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

1 If Respondent has not complied with this condition during the probationary term, and  
2 Respondent has presented sufficient documentation of her good faith efforts to comply with this  
3 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an  
4 extension of Respondent's probation period up to one year without further hearing in order to  
5 comply with this condition. During the one year extension, all original conditions of probation  
6 shall apply.

7 **7. Employment Approval and Reporting Requirements.** Respondent shall obtain  
8 prior approval from the Board before commencing or continuing any employment, paid or  
9 voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all  
10 performance evaluations and other employment related reports as a registered nurse upon request  
11 of the Board.

12 Respondent shall provide a copy of this Decision to her employer and immediate  
13 supervisors prior to commencement of any nursing or other health care related employment.

14 In addition to the above, Respondent shall notify the Board in writing within seventy-two  
15 (72) hours after she obtains any nursing or other health care related employment. Respondent  
16 shall notify the Board in writing within seventy-two (72) hours after she is terminated or  
17 separated, regardless of cause, from any nursing, or other health care related employment with a  
18 full explanation of the circumstances surrounding the termination or separation.

19 **8. Supervision.** Respondent shall obtain prior approval from the Board regarding  
20 Respondent's level of supervision and/or collaboration before commencing or continuing any  
21 employment as a registered nurse, or education and training that includes patient care.

22 Respondent shall practice only under the direct supervision of a registered nurse in good  
23 standing (no current discipline) with the Board of Registered Nursing, unless alternative methods  
24 of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are  
25 approved.

26 Respondent's level of supervision and/or collaboration may include, but is not limited to the  
27 following:

28 (a) Maximum - The individual providing supervision and/or collaboration is present in

1 the patient care area or in any other work setting at all times.

2 (b) Moderate - The individual providing supervision and/or collaboration is in the patient  
3 care unit or in any other work setting at least half the hours Respondent works.

4 (c) Minimum - The individual providing supervision and/or collaboration has person-to-  
5 person communication with Respondent at least twice during each shift worked.

6 (d) Home Health Care - If Respondent is approved to work in the home health care  
7 setting, the individual providing supervision and/or collaboration shall have person-to-person  
8 communication with Respondent as required by the Board each work day. Respondent shall  
9 maintain telephone or other telecommunication contact with the individual providing supervision  
10 and/or collaboration as required by the Board during each work day. The individual providing  
11 supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to  
12 patients' homes visited by Respondent with or without Respondent present.

13 9. **Employment Limitations.** Respondent shall not work for a nurse's registry, in any  
14 private duty position as a registered nurse, a temporary nurse placement agency, a traveling nurse,  
15 or for an in-house nursing pool.

16 Respondent shall not work for a licensed home health agency as a visiting nurse unless the  
17 registered nursing supervision and other protections for home visits have been approved by the  
18 Board. Respondent shall not work in any other registered nursing occupation where home visits  
19 are required.

20 Respondent shall not work in any health care setting as a supervisor of registered nurses.  
21 The Board may additionally restrict Respondent from supervising licensed vocational nurses  
22 and/or unlicensed assistive personnel on a case-by-case basis.

23 Respondent shall not work as a faculty member in an approved school of nursing or as an  
24 instructor in a Board approved continuing education program.

25 Respondent shall work only on a regularly assigned, identified and predetermined  
26 worksite(s) and shall not work in a float capacity.

27 If Respondent is working or intends to work in excess of 40 hours per week, the Board may  
28 request documentation to determine whether there should be restrictions on the hours of work.



1       10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall enroll and  
2 successfully complete a course(s) relevant to the practice of registered nursing no later than six  
3 months prior to the end of her probationary term.

4       Respondent shall obtain prior approval from the Board before enrolling in the course(s).  
5 Respondent shall submit to the Board the original transcripts or certificates of completion for the  
6 above required course(s). The Board shall return the original documents to Respondent after  
7 photocopying them for its records.

8       11. **Violation of Probation.** If Respondent violates the conditions of her probation, the  
9 Board after giving Respondent notice and an opportunity to be heard, may set aside the stay order  
10 and impose the stayed discipline (revocation/suspension) of Respondent's license.

11       If during the period of probation, an accusation or petition to revoke probation has been  
12 filed against Respondent's license or the Attorney General's Office has been requested to prepare  
13 an accusation or petition to revoke probation against Respondent's license, the probationary  
14 period shall automatically be extended and shall not expire until the accusation or petition has  
15 been acted upon by the Board.

16       12. **License Surrender.** During Respondent's term of probation, if she ceases practicing  
17 due to retirement, health reasons or is otherwise unable to satisfy the conditions of probation,  
18 Respondent may surrender her license to the Board. The Board reserves the right to evaluate  
19 Respondent's request and to exercise its discretion whether to grant the request, or to take any  
20 other action deemed appropriate and reasonable under the circumstances, without further hearing.  
21 Upon formal acceptance of the tendered license and wall certificate, Respondent will no longer be  
22 subject to the conditions of probation.

23       Surrender of Respondent's license shall be considered a disciplinary action and shall  
24 become a part of Respondent's license history with the Board. A registered nurse whose license  
25 has been surrendered may petition the Board for reinstatement no sooner than the following  
26 minimum periods from the effective date of the disciplinary decision:

27       (1) Two years for reinstatement of a license that was surrendered for any reason other  
28 than a mental or physical illness; or

1 (2) One year for a license surrendered for a mental or physical illness.

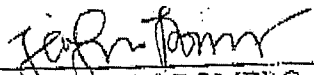
2 13. **Therapy or Counseling Program.** Respondent, at her expense, shall participate in  
3 an on-going counseling program until such time as the Board releases her from this requirement  
4 and only upon the recommendation of the counselor. Written progress reports from the counselor  
5 will be required at various intervals.

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ACCEPTANCE

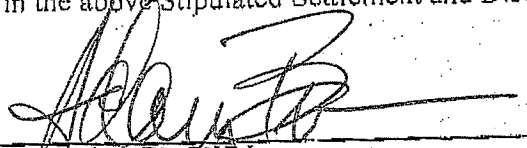
I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Adam B. Brown. I understand the stipulation and the effect it will have on my Registered Nurse License Application. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: 04-03-2012

  
JENNIFER RAE ROMERO  
Respondent

I have read and fully discussed with Respondent Jennifer Rae Romero the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

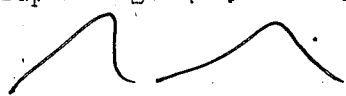
DATED: 4/3/12

  
ADAM B. BROWN  
Attorney for RespondentENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: 4/11/2012

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
KAREN B. CHAPPELLE  
Supervising Deputy Attorney General  
RANDY M. MAILMAN  
Deputy Attorney General  
Attorneys for ComplainantLA2011505134  
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**Exhibit A**

**Statement of Issues No. 2012-456**

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EXHIBIT - 3 JUL 12

RECEIVED

1 KAMALA D. HARRIS  
Attorney General of California  
2 KAREN B. CHAPPELLE  
Supervising Deputy Attorney General  
3 RANDY M. MAILMAN  
Supervising Deputy Attorney General  
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7

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

11 In the Matter of the Statement of Issues  
12 Against:

13 **JENNIFER RAE ROMERO**  
17601 Saticoy Street  
14 Northridge, CA 91325

15 Registered Nurse License Application

16 Respondent.

Case No. 2012-456

**STATEMENT OF ISSUES**

17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Statement of Issues solely  
20 in her official capacity as the Interim Executive Officer of the Board of Registered Nursing,  
21 Department of Consumer Affairs ("Board").

22 2. On or about June 24, 2011, the Board received a Registered Nurse License  
23 Application from Jennifer Rae Romero ("Respondent"). On or about June 1, 2011, Jennifer Rae  
24 Romero certified under penalty of perjury to the truthfulness of all statements, answers, and  
25 representations in the application. The Board denied the application on September 15, 2011.

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1       "(f) Conviction of a felony or of any offense substantially related to the qualifications,  
2 functions, and duties of a registered nurse, in which event the record of the conviction shall be  
3 conclusive evidence thereof. . . ."

4                                   **REGULATORY PROVISION**

5       7. California Code of Regulations, title 16, section 1444 states, in pertinent part:

6       "A conviction or act shall be considered to be substantially related to the qualifications,  
7 functions or duties of a registered nurse if to a substantial degree it evidences the present or  
8 potential unfitness of a registered nurse to practice in a manner consistent with the public health,  
9 safety, or welfare. Such convictions or acts shall include but not be limited to the following:

10       . . . .

11       "(c) Theft, dishonesty, fraud, or deceit. . . ."

12                                   **FIRST CAUSE FOR DENIAL OF APPLICATION**

13                                   **(Conviction of a Substantially Related Crime)**

14       8. Respondent's application is subject to denial under sections 480, subdivision (a)(1),  
15 and 2761, subdivision (f), in conjunction with California Code of Regulations, title 16, section  
16 1444, in that on or about April 18, 2008, Respondent was convicted of a crime substantially  
17 related to the qualifications, functions or duties of a registered nurse which to a substantial degree  
18 evidences her present or potential unfitness to practice in a manner consistent with the public  
19 health, safety, or welfare, as follows:

20       a. On or about April 18, 2008, after pleading nolo contendere, Respondent was  
21 convicted of one misdemeanor count of violating Penal Code section 487(a) [grand theft] in the  
22 criminal proceeding entitled *The People of the State of California v. Jennifer Rae Romero* (Super.  
23 Ct. Los Angeles County, 2008, No. 8PY00093). The Court sentenced Respondent to one (1) day  
24 in jail, placed her on 24 months probation, ordered her to complete 20 days of Cal Trans, and  
25 ordered her to stay away from Macy's, Canoga Park.

26       b. The circumstances underlying the conviction are that on or about January 3, 2008,  
27 Respondent worked as a cashier at Macy's department store and, instead of properly scanning

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1 eight items of merchandise for a customer, her brother, she scanned only two of the items and  
2 placed all the items into a shopping bag as if all items were paid in full.

3 **SECOND CAUSE FOR DENIAL OF APPLICATION**

4 **(Dishonest Acts)**

5 9. Respondent's application is subject to denial under section 480, subdivision (a)(2), in  
6 that on or about January 3, 2008, Respondent committed acts involving dishonesty, fraud, or  
7 deceit with the intent to substantially benefit herself and others, and substantially injure others by  
8 stealing from her employer. Complainant refers to and by this reference incorporates the  
9 allegations set forth above in paragraph 8, subparagraphs (a) and (b), inclusive, as though set  
10 forth fully.

11 **THIRD CAUSE FOR DENIAL OF APPLICATION**

12 **(Acts Constituting Grounds for Discipline if Licensed)**

13 10. Respondent's application is subject to denial under section 480, subdivision (a)(3), for  
14 violating section 2761, subdivisions (a) and (f), on the grounds of unprofessional conduct, in that  
15 Respondent committed substantially related acts which if done by a registered nurse would  
16 constitute cause for suspension or revocation of licensure. Complainant refers to and by this  
17 reference incorporates the allegations set forth above in paragraphs 8 and 9, inclusive, as though  
18 set forth fully.

19 **PRAYER**

20 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
21 and that following the hearing, the Board of Registered Nursing issue a decision:

- 22 1. Denying Jennifer Rae Romero's Registered Nurse License Application; and  
23 2. Taking such other and further action as deemed necessary and proper.

24 DATED: February 21, 2012

25 *Louise R. Bailey*  
LOUISE R. BAILEY, M.ED., RN  
Interim Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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